

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

HENRYK KROL, individually and on behalf of other persons similarly situated who were employed by POLER CONTRACTING, INC., KEVIN MINIHAN and/or STANISLAW RYS or any other entities affiliated with or controlled by POLER CONTRACTING, INC., KEVIN MINIHAN and/or STANISLAW RYS,

Plaintiffs,

- against -

POLER CONTRACTING, INC., KEVIN MINIHAN and STANISLAW RYS and any other entities affiliated with or controlled by POLER CONTRACTING, INC., KEVIN MINIHAN and/or STANISLAW RYS,

Defendants.

Case No. 13-cv-1142
(SLT)(VMS)

PUBLICATION ORDER

WHEREAS, the Plaintiffs and putative class of individuals having made an application to implement court-supervised notification to collective action members pursuant to 29 U.S.C. § 216(b); and

WHEREAS, the Court having read and considered the proposed Notice of Lawsuit and Consent to Join form;

WHEREAS, Defendants do not oppose this Order; and

WHEREAS, the Court finding that there exist substantial and sufficient grounds for entering this Order;

IT IS HEREBY ORDERED that:

1. On or before May 21, 2014, the Plaintiffs or their designated representatives shall cause a copy of the Notice of Lawsuit and Consent to Join Form in both English and Polish to be mailed by first class mail to:

Plaintiffs and all other individuals who currently or formerly worked for Poler Contracting Inc. between March 4, 2010 and the present who performed construction work including masonry, bricklaying, cement work, demotion and other related trade-work.

Corporate officers, shareholders, directors, and administrative employees are not part of the defined collective.

2. The Court approves the form of the Notice of Lawsuit and Consent to Join form, and finds that the mailing of such Notice and Consent to Join form substantially in the manner and form set forth in paragraph 1 of this Order will constitute the best notice practicable under the circumstances to members of the collective.

3. On or before May 6, 2014, Defendants shall furnish to Plaintiffs' counsel and, if applicable to the designated notice administrator, a list containing the names and last known address of all individuals employed by Defendants for the period March 4, 2010 through the present. This mailing list is to be furnished in electronic form and shall be treated by the Parties as confidential. The Collective members shall mail the Consent to Join Form to Plaintiffs' counsel by July 11, 2014 or to the Clerk of Court by July 21, 2014.

SO ORDERED.

/s/ Vera M. Scanlon
United States Magistrate Judge

Dated: Brooklyn, New York
April 21, 2014